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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 BILLY CEPERO

9 Plaintiff,

10 v.

11 LAS VEGAS METROPOLITAN POLICE
12 DEPARTMENT, ET AL.,

13 Defendants.

Case No.: 2:11-cv-01421-JAD-GWF

14 **STIPULATION AND ORDER TO EXTEND DEADLINE TO OPPOSE DEFENDANT'S**
15 **MOTION FOR SUMMARY JUDGMENT**

16 **(First Request)**

17 Pursuant to LR 6-1 and LR 26-4, Plaintiff Billy Cepero, ("Plaintiff"), by and through his
18 counsel of record, Lauren D. Calvert, Esq. of the law firm of Messner Reeves LLP and Defendants
19 ("Defendants"), by and through their attorney of record, Tye S. Hanseen, Esq. of Marquis Aurbach
20 Coffing, hereby stipulate and request that this court extend the deadline for Plaintiff to respond to
21 Defendant's Motion for Summary Judgment, up to and including February 28, 2020. This is the first
22 stipulation for extension of time to file an opposition to Defendants' motion for summary judgment.
23 Defendants' motion for summary judgment was filed on January 24, 2020. The opposition was
24 therefore due on February 14, 2020.

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26 No hearing date has been set for the motion.
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1 **I. DISCOVERY COMPLETED TO DATE**

2 1. Cepero served multiple sets of written discovery on the Defendants and responded
3 to written discovery.

4 2. Defendants served written discovery on Cepero and responded to written
5 discovery.

6 3. Both parties have taken multiple depositions.

7 4. Both parties have made multiple supplements to their disclosures of witnesses and
8 documents.
9

10 **II. WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED**

11 Discovery is complete. The Parties are not in need of additional discovery. Due to a calendaring
12 error and technological difficulties associated with Plaintiff's firm switching servers and operating
13 systems, the opposition deadline was not ever put onto counsel's calendar. When counsel realized it
14 had not been calendared, the deadline had already passed. Counsel immediately contacted defense
15 counsel to request an extension, to which defense counsel graciously agreed. Plaintiffs' counsel
16 submits this demonstrates that the failure to file the stipulation before the deadline expired was the
17 result of excusable neglect.
18

19 **III. DISCOVERY REMAINING**

20 None.

21 **IV. EXTENSION OR MODIFICATION OF THE DISCOVERY PLAN AND**
22 **SCHEDULING ORDER**

23 The following is a list of the current discovery deadlines. Extending the time for Plaintiff to
24 oppose the motion for summary judgment will not change any of these deadlines.
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26
27
28

ACTIVITY	DATE	PROPOSED DEADLINE
Amend Pleadings or Add Parties	Passed	Passed
Expert Disclosures Pursuant to Fed.R.Civ.P. 26(a)(2)	Passed	Passed
Rebuttal Expert Disclosure Pursuant to Fed.R.Civ.P. 26(a)(2)	Passed	Passed
Discovery Cut-Off Date	Passed	Passed
Dispositive Motions	January 24, 2020	January 24, 2020
Joint Pretrial Order	February 21, 2020	Suspended

Since Defendants filed a summary judgment motion, the deadline for filing the Joint Pre-Trial Order is suspended until thirty days after the decision on the summary judgment motion or further court order. This request for an extension of time is not sought for any improper purpose or other purpose of delay. The parties respectfully submit that the reasons set forth above constitute compelling reasons for the extension of the deadline to respond to Defendants' Motion for Summary Judgment.

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WHEREFORE, the parties respectfully stipulate the deadline for Plaintiff to respond to Defendants' Motion for Summary Judgment be extended up to and including February 28, 2020.

Dated this 19th day of February, 2020.

Dated this 19th day of February, 2020.

MARQUIS AURBACH COFFING

MESSNER REEVES LLP

By: /s/ Tye S. Hanseen, Esq.


Craig R. Anderson, Esq.
Nevada Bar No. 6882
Tye S. Hanseen, Esq.
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By: /s/ Lauren D. Calvert, Esq.

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ORDER

IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE
Dated: February 19, 2020.